

notice of appeal was not filed within the time limit set by Rule 8002(a). *In re Berman-Smith*, 737 F.3d 997, 1003 (5th Cir. 2013). The Rule 8002 time limit is interpreted as a jurisdictional rule, and “[f]ederal courts must be assured of their subject matter jurisdiction at all times.” *In re Bass*, 171 F.3d 1016, 1021 (5th Cir.1999); *see also Bowles v. Russell*, 551 U.S. 205, 213 (2007) (clarifying that time limits set by statutes are jurisdictional).

Here, Dr. Smith filed the notice of appeal on April 6, 2021, fifteen (15) days after the bankruptcy court entered the order underlying this appeal. Although Dr. Smith’s appeal is only one day late, the jurisdictional requirements are mandatory, and a district court cannot hear an appeal over which it does not have subject matter jurisdiction. Accordingly, the Court finds that it has no jurisdiction over the instant appeal.

CONCLUSION

For the reasons stated herein, the Trustee’s motion to dismiss (ECF No. 2) is **GRANTED**. Dr. Smith’s appeal is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction. The Court Clerk is **DIRECTED** to close the case.

It is so **ORDERED**.

SIGNED this 7th day of June, 2021.



Xavier Rodriguez
United States District Judge